

EXHIBIT D



AMERICAN
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March 25, 2024

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Case Number: 01-24-0002-9516

Clare Locke, LLP
-vs-
Kytch, Inc.

Dear Counsel:

Pursuant to Rule R-39 of the Commercial Arbitration Rules, the American Arbitration Association (AAA) has appointed Howard W. Schub, Esq. as Emergency Arbitrator, to rule on Claimant's application for emergency relief. Please find enclosed the Emergency Arbitrator's resume, Notice of Appointment and Notice of Compensation Arrangements.

As indicated in the Rules, any challenge to the appointment of the emergency arbitrator must be made within one business day of the communication by AAA to the parties of the appointment of the emergency arbitrator. Therefore, any objections to the appointment of Emergency Arbitrator Schub shall be made by **3:00 PM ET on Tuesday, March 26, 2024.**

Pursuant to Rule R-39 of the Commercial Arbitration Rules, "the Emergency Arbitrator shall as soon as possible, but in any event within two business days of appointment, establish a schedule for consideration of the application for emergency relief. Such schedule shall provide a reasonable opportunity to all Parties to be heard, but may provide for proceedings by telephone conference, video conference or written submissions as alternatives to a formal hearing."

The Emergency Arbitrator is generally available to schedule a conference call with the Parties on March 26, 27 and 28, 2024. The purpose of this call will be to establish a schedule for the consideration of the application for emergency relief. Please note that if the parties do not make themselves available for this call, the Emergency Arbitrator has the discretion to order either party to submit further submissions as the Emergency Arbitrator deems fit.

Please provide your availability for the dates of March 26, 27 and 28, 2024, no later than **3:00 PM ET on Tuesday, March 26, 2024.** Absent a response, we will assume all dates and times are available, and will schedule

the conference accordingly.

Please contact me directly with any questions or concerns.

Sincerely,

Eve Turner
Manager of ADR Services
Direct Dial: (401)431-4774
Email: eveturner@adr.org

Enclosure

cc: Elizabeth Denchfield, Esq.
C. Bryan Wilson, Esq.
Perry Austin, Esq.

Howard W. Schub, Esq.